

REMARKS

Claims 1-23 were pending.

Claims 1-23 are rejected.

Claims 4, 6, 18-19 and 24 are cancelled.

Claim 1 is amended.

Claims 1-3, 5, 7-17, 20-23 and 25 are pending.

Specification

Applicants have amended page 6, first paragraph to correct the error as suggested by the examiner.

Claim 6 is deleted as it no longer narrow claim 1.

35 USC 112, first paragraph

Claim 1 is corrected to refer to the solid residues which contain mainly lignin.

35 USC 112, second paragraph

Claims 24 is cancelled as it no longer limits claim 1.

35 USC 103(a)

Claims 1-20 and 22-25 are rejected under 35 USC 103(a) as being unpatentable over Brink 5,536,325 in view of Minowa, Moffett 6,132,625.

Claims 21 is rejected under 35 USC 103(a) as being unpatentable over Brink 5,536,325 in view of Minowa and Moffett 6,132,625 and further in view of Chieffalo, US 5,975,439.

Examiner has suggested that claim 1 would be allowable if written to overcome the 112 rejection and include a step for flocculating suspended solids and lignin in the fermentation liquor with the anionic acrylamide copolymers having an anionic content of at least 50% by weight and the mechanical dewatering step of claim 19, to separate the flocculated suspended solids and lignin as cake solids would be allowable, upon the filing of proper terminal disclaimers.

Applicants have amended claim 1 to correct the 112, first paragraph rejection as explained above. Basis for the amendment may be found on page 6, first paragraph.

Applicants have amended claim 1 to include a flocculation and a mechanical dewatering step. Basis for the inclusion of these steps may be found on pages 7, forth paragraph and 14, lines 11-17 respectively. Further basis for the anionic polymer may be found in table 1, page 17.

However, the applicants have not followed the examiner's suggestion to amend the anionic polymer to read "the anionic acrylamide copolymers" for the following reason. The table 1 on page 17, shows a range of anionic polymers of anionic content from 50 to 100 wt. % (see polymers 5 to 10). If the applicants were to amend the claim to read anionic acrylamide **copolymers** instead of anionic polymers, polymer 10 would not be encompassed by the present claims. Clearly polymers 5 to 10 work surprising well as to the speed of drainage. Thus because applicants have shown improved performance of the use of anionic polymers of anionic content from 50 to 100 wt. %, applicants respectfully submit that the claims should reflect the entire showing (homopolymers and copolymers).

Because the combination of references cited above do not suggest the presently claimed process- that is treating the fermentation liquor with an anionic polymer having an anionic content of at least 50 % by weight and having an intrinsic viscosity of at least 4 dl/g (measured in 1 M NaCl at 25° C),

flocculating the suspended solids containing lignin in the fermentation liquor
and

subjecting the fermentation liquor to a mechanical dewatering stage selected from at least one of, a centrifuge, a screw press, a filter press, a belt filter press, a horizontal belt filter or a pressure filter to separate the flocculated suspended solids and lignin as cake solids, wherein the cake solids contain mainly lignin

with the proviso that the solids-liquid separation stage does not include a cationic polymer having an intrinsic viscosity (IV) of at least 4 dl/g

the applicants believe the 103(a) rejections are overcome.

Double Patenting

Claims 1-23 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-19 or copending 10/523,301 and claims 1-22 of copending 10/587,583.

Applicants enclose a terminal disclaimer to overcome the above rejection.

Reconsideration and withdrawal of the rejection of claims 1-3, 5, 7-17, 20-23 and 25 is respectfully solicited in light of the remarks and amendments *supra*.

Since there are no other grounds of objection or rejection, passage of this application to issue with claims 1-23 is earnestly solicited.

Applicants submit that the present application is in condition for allowance. In the event that minor amendments will further prosecution, Applicants request that the examiner contact the undersigned representative.

Respectfully submitted,



Shiela A. Loggins
Agent for Applicants
Reg. No. 56,221

Ciba Specialty Chemicals Corporation
540 White Plains Road
Tarrytown, New York 10591
(914) 785-2768
SAL22353FR.doc

Enclosures: A terminal disclaimers.